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12 DISABILITY PLAN; THE VENTYX, INC.
13 LONG TERM DISABILITY PLAN

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24 VALERIE ZGONC

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16 UNITED STATES DISTRICT COURT
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18 NORTHERN DISTRICT OF CALIFORNIA

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VALERIE ZGONC,) Case No.: CV07-06359 CW
Plaintiff,) STIPULATION OF DISMISSAL WITH
v.) PREJUDICE AND ORDER THEREON
THE LIFE INSURANCE COMPANY OF)
NORTH AMERICA; THE INDUS)
INTERNATIONAL, INC. LONG TERM)
DISABILITY PLAN; THE VENTYX, INC.)
LONG TERM DISABILITY PLAN; and)
DOES 1 through 20, inclusive,) Honorable Claudia Wilken
Defendants.)

29 Plaintiff Valerie Zgongc (“plaintiff”), and defendants The Life Insurance Company of
30 North America (“LINA”), The Indus International, Inc. Long Term Disability Plan and The
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1 Ventyx, Inc. Long Term Disability Plan (collectively referred herein as "defendants"), through
2 their respective attorneys of record, Terrence J. Coleman, Esq. and Brian H. Kim, Esq., of
3 Pillsbury & Levinson, LLP, on behalf of plaintiff, and Dennis J. Rhodes, Esq., of Wilson, Elser,
4 Moskowitz, Edelman & Dicker LLP, on behalf of defendants, HEREBY STIPULATE that the
5 above-captioned matter and all claims of relief therein can be dismissed with prejudice as to all
6 parties in its entirety pursuant to the parties' agreement to resolve the claim. Each party to bear
7 its own fees and costs.

8 **IT IS SO STIPULATED.**

9 Date: August 26, 2008

10 WILSON, ELSER, MOSKOWITZ,
11 EDELMAN & DICKER LLP

12 By: /s/ Dennis J. Rhodes

13 Adrienne C. Publicover
14 Dennis J. Rhodes
15 Attorneys for Defendants
16 THE LIFE INSURANCE COMPANY OF
17 NORTH AMERICA; THE INDUS
18 INTERNATIONAL, INC. LONG TERM
19 DISABILITY PLAN; THE VENTYX,
20 INC. LONG TERM DISABILITY PLAN

21 Date: August 26, 2008

22 PILLSBURY & LEVINSON, LLP

23 By: /s/ Terrence J. Coleman

24 Terrence J. Coleman
25 Brian H. Kim
26 Attorneys for Plaintiff
27 VALERIE ZGONC

28 **ORDER**

29 The above-captioned matter, and all claims for relief therein, is dismissed with prejudice
as to all parties in its entirety pursuant to the parties' agreement to resolve the claim. Each party
to bear its own fees and costs.

30 **IT IS SO ORDERED.**



31 Date: August 29, 2008

32 By: _____

33 Honorable Claudia Wilken
34 UNITED STATES DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

Valerie Zgongc v. The Life Insurance Company of North America, et al.
USDC NDCA Case #CV07-06359 CW

I am over the age of eighteen years and am not a party to the within cause. I am employed in the City and County of San Francisco, California and my business address are 525 Market Street, 17th Floor, and San Francisco, California 94105-2725.

On this date I served the following documents:

**STIPULATION OF DISMISSAL WITH PREJUDICE
AND [PROPOSED] ORDER THEREON**

on the part(y)(ies) identified below, through their attorneys of record, by placing true copies thereof in sealed envelopes addressed as shown below by the following means of service:

→ : **By First Class Mail** -- I caused each such envelope, with first class postage thereon fully prepaid, to be deposited in a recognized place of deposit of the U.S. Mail in San Francisco, California, for collection to the office of the addressee following ordinary business practices.

: By Personal Service -- I caused each such envelope to be given to a courier messenger who personally delivered each such envelope to the office of the address.

: **By Overnight Courier** -- I caused each such envelope to be given to an overnight mail service at San Francisco, California, to be hand delivered to the addressee on the next business day.

: **Facsimile** -- (Only where permitted. Must consult CCP §1012.5 and California Rules of Court 2001-2011. Also consult FRCP Rule 5(e). Not currently authorized in N.D.CA.)

Terrence J. Coleman, Esq.

Brian H. Kim, Esq.

PILLSBURY & LEVINSON, LLP

The Transamerica Pyramid

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Tel: (415) 433-8000

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Attorneys for Plaintiff

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

EXECUTED on August 29, 2008, at San Francisco, California.

Nancy Li